

Remarks

Claims 1-39 are pending and rejected. Applicant respectfully requests allowance of claims 1-39.

Claims 1-5, 14-18, and 27-31 stand rejected under 35 U.S.C. §103(a) over U.S. Patent 5,745,712 (Turpin) in view of U.S. Patent Application 2002/0107763 (Palmer). As in earlier Office Actions, Applicant again notes that the patent number listed for Turpin in the recent Office Action is incorrect.

Applicant is also awaiting papers that show that the three previous IDS submissions were considered (papers appropriately initialed by the Examiner). Previous requests by the Applicant on this point have been ignored.

The invention assists a user in product selection by controlling the users movement through a sequence of screens in order to build a set of data that is consistent with a product. The sequence may optimally designed to collect the data from the user in an efficient and understandable order. The user may jump over screens that already have consistent data, but the user may not jump over screens that are missing consistent data. The invention forces the user to resolve inconsistencies before moving ahead in the sequence. **By forcing a sequential build of consistent data, the invention minimizes user confusion.**

In contrast, Turpin clearly allows the user to opt out of the sequence and to define their own sequence. Unfortunately, the user of Turpin could easily become confused if they jump around and define their own sequence – especially when inconsistencies occur between data inputs and the available products. Palmer does not suggest that the user control over the sequence in Turpin should be changed.

The Response to Arguments section of the recent Office Action states that “Applicant has not pointed out the real advantages of displaying the screen using a sequence of consistent data.” This statement is untrue because the advantages of the invention are repeated several times in the application, responses to office actions, and the appeal brief. The statement is also inappropriate because “real advantages” is not the appropriate standard. Non-obviousness is the appropriate standard. It appears that the Examiner has substituted his own subjective “real advantages” standard in place of the correct non-obviousness standard.

The Response to Arguments section of the recent Office Action states that "Turpin arrives to the same result" as the invention. Riding a bicycle to the store and driving a car to the store also have the same result – getting to the store, but the two are quite different. Again, it appears that the Examiner has substituted his own subjective "same result" test in place of the correct non-obviousness test.

The Response to Arguments section states that "Turpin would indicate that a user is not qualified for insurance and it is only obvious to let a user know the reason for the failure." This is a conclusion of obviousness, and not a reason. It appears to be a clear case of the Examiner using hindsight to attribute features of the invention to the prior art.

The Response to Arguments section states that "Turpin would not hold any information from a user since he is entitled to know said information." How does the Examiner know what a user is entitled to know? Again, this appears to be the use of hindsight to attribute features of the invention to the prior art.

Claims 6-13, 19-26, and 32-39 stand rejected under 35 U.S.C. §103(a) over U.S. Patent 5,745,712 (Turpin) in view of U.S. Patent Application 2002/0107763 (Palmer). Claims 6-13, 19-26, and 32-39 are patentable for the reasons discussed above.

Applicant submits that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicant respectfully requests allowance of claims 1-39.


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